

## REMARKS

Claims 1-8, 10-30, and 36-40 are pending in the instant application. Claims 1-8 and 10-35 presently stand rejected. Claims 1 and 20 are amended, claims 31-35 are canceled and new claims 36-40 are added herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

### *Claim Rejections – 35 U.S.C. § 112*

Claims 1-8 and 10-35 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants have removed the cited portion of the claims noted by the Examiner. However, Applicants have amended independent claims 1 and 20 to recite, in part, “...adding data pertaining to...” as suggested by the Examiner. Accordingly, Applicants respectfully submit that the applicable 112 rejections have been overcome.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 1-8 and 10-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pung (US 2002/0150099) in view of Xiong (US 6,671,256) and Veeraraghavan (US 2003/0053475).

Obviousness is a question of law based on underlying factual inquiries. The factual inquiries enunciated by the U.S. Supreme Court in *KSR Int'l C. v. Teleflex, Inc.*, No 04-1350 (U.S. Apr. 30, 2007) include the Graham factors of determining the scope and content of the prior art, ascertaining the differences between the claimed invention and the prior art, and resolving the level of ordinary skill in the pertinent art.

Once the Graham factual inquiries are resolved, the Examiner must explain why the difference(s) between the cited references and the claimed invention would have been obvious to one of ordinary skill in the art. The rationale used must be a permissible rationale. The USPTO has promulgated examination guidelines for determining obviousness in view of KSR in M.P.E.P. §2143(A)-(G). These KSR Guidelines enumerate permissible rationales and the findings of fact that must be made under the particular rationale.

It appears from the March 26, 2008 Office Action that the rationale used to support the rejection of claims 1-8 and 10-35 is the rationale enumerated in M.P.E.P. §2143(A) (i.e., Combining Prior Art Elements According to Known Methods to yield Predictable Results). It is noted that M.P.E.P. §2143(A)(1) requires a factual finding “...that the prior art included **each** element claimed...” Applicants respectfully submit that Pung, Xiong and Veeraraghavan, whether taken individually or in combination fail to disclose, teach, or suggest each element of claim 1.

Amended claim 1 recites, in pertinent part, “...adding data pertaining to the soft reservation to a table stored at a node coupled between the source and destination nodes, wherein the data pertaining to the soft reservation includes the scheduled start time and **wherein the table includes data pertaining to a plurality of soft reservations...**” and “...adding data pertaining to the hard reservation to the table stored at the node coupled between the source and destination nodes, wherein the data pertaining to the hard reservation includes the scheduled start time and **wherein the table includes data pertaining to a plurality of hard reservations...**”

Amended claim 20 recites, in pertinent part, “adding data pertaining to the hard reservation to a table stored at a node coupled between a source and destination node, wherein the data pertaining to the hard reservation includes the scheduled start time, **wherein the table includes data pertaining to a plurality of hard reservations.**”

Thus, independent claim 1 recites adding data pertaining to the soft and hard reservations to a table stored at the node, where the table includes data pertaining to a *plurality* of soft and hard reservations. Similarly, independent claim 20 recites adding data pertaining to the hard reservation to a table stored at the node wherein the table includes data pertaining to a *plurality* of hard reservations.

In the rejection of independent claim 1, the Examiner acknowledges that Pung fails to teach a scheduled start time. Office Action, 03/26/08, page 4. ***Since, Pung fails to teach scheduled start time, Pung necessarily fails to disclose, teach or suggest adding data pertaining to the soft reservation to a table stored at a node coupled between the source and destination nodes, wherein the data pertaining to the soft reservation includes the scheduled start time and wherein the table includes data pertaining to a plurality of soft reservations, as presently claimed by Applicants.***

Neither Xiong nor Verraghavan cure the deficiencies of Pung. Thus, the cited references fail to disclose each element of claim 1, as required under M.P.E.P. §2143. Independent claim 20 includes similar nonobvious elements as independent claim 1. Accordingly, Applicants respectfully request that the §103(a) rejections of claims 1 and 20 be withdrawn.

The dependent claims are nonobvious over the cited references for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103 rejections of the dependent claims also be withdrawn.

#### *New Claims 36-40*

By way of this amendment, Applicant has added new claims 36-40. Applicant respectfully submits that dependent claims 36-40 are allowable over the cited references for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. For example, claim 36 recites, “...wherein the table stored at the node includes a key for each of a plurality of records of the table, wherein each record corresponds to a soft or hard reservation...” None of the cited references disclose, teach or suggest a key for each of a plurality of records of soft or hard reservations.

Furthermore, claim 38 recites, “...wherein the key is derived from a combination of data fields included in the table to enable a rapid lookup of soft and hard reservations, the data fields including a plurality selected from the list consisting of: an input fiber port, and an input wavelength, and a lightpath segment ID.” As mentioned above, none of the cited references teach use of a key, much less a key that is derived from a combination of data fields included in the table stored at the node. Accordingly, Applicant respectfully submits that all claims are now in condition for allowance.

## **CONCLUSION**

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

### CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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#### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

/Elizabeth A. Garcia/ June 26, 2008  
Elizabeth A. Garcia *Date*